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Letter dated 26 December 2000 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, containing an account of the Committee's activities since the beginning of 2000. The report, which was adopted by the Committee on 26 December 2000, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established pursuant to
resolution 1132 (1997) concerning Sierra Leone

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Report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

I. Introduction

1. The Committee, under the Chairmanship of Ambassador Anwarul Karim Chowdhury (Bangladesh), adopted the present report on 26 December 2000. The purpose of the report is to present a factual summary of the activities of the Committee since the beginning of 2000, in accordance with the transparency measures outlined by the President of the Security Council in his note of 29 March 1995 (S/1995/234). During this period the Committee held seven meetings.

II. Background information and summary of the work of the Committee

A. Background information

2. By resolution 1132 (1997), adopted on 8 October 1997, the Security Council, gravely concerned at the continued violence following the military coup of 25 May 1997 and determining that the situation in Sierra Leone constituted a threat to international peace and security in the region, imposed a regime of mandatory sanctions, under Chapter VII of the Charter of the United Nations, against Sierra Leone. The Council decided, in paragraphs 5 and 6 of the resolution, that all States should prevent the sale or supply to Sierra Leone of petroleum and petroleum products, arms and related materiel of all types, and imposed restrictions on the travel of members of the military junta of Sierra Leone and adult members of their families. By paragraph 10 of the resolution, the Security Council established a Committee consisting of all members of the Council. By resolution 1171 (1998) of 5 June 1998, the Council lifted the petroleum embargo leaving the other measures in effect.

3. Acting under the provisions set out in Chapter VII of the Charter, the Security Council at its 4168th meeting held on 5 July 2000 adopted resolution 1306 (2000), in which, inter alia, it decided that all States should prohibit the direct or indirect import of rough diamonds from Sierra Leone to their territory.

4. The Security Council, in the same resolution, asked the Secretary-General to appoint a panel of five experts to monitor implementation of the ban and requested the Government of Sierra Leone to ensure, as a matter of urgency, that an effective certificate of origin regime for trade in diamonds was in operation in the country. The Council also asked relevant international organizations and other bodies to assist the Government in facilitating the full operation of the regime. The Government was to notify the Committee of the details of the regime when it was fully in operation.

5. Under the terms of the resolution, the above regime would be in effect for 18 months, after which period it would be reviewed. Following the review, which would examine the situation in Sierra Leone, including the extent of the Government's authority over the diamond producing areas, the Council would

decide whether to extend the prohibition for a further period and, if necessary, modify it or adopt further measures.

6. In expressing its concern at the role played by the illicit trade in diamonds in fuelling the conflict in Sierra Leone, and at reports that such diamonds transit neighbouring countries, including Liberia, the Security Council, in connection with the ban on the direct or indirect import of all rough diamonds, exempted imports of rough diamonds whose origin was certified by the Government of Sierra Leone and called upon the diamond industry to cooperate with the ban.

7. The Security Council further decided that a first review of the prohibition would be conducted not later than 15 September 2000, followed by further reviews every six months after the date of adoption of the resolution. By other provisions of the resolution, States were called upon to enforce, strengthen or enact, as appropriate, legislation making violation of the arms and weapons embargo imposed by the Council under paragraph 2 of resolution 1171 (1998) a criminal offence.

B. Summary of activities of the Committee

8. With reference to paragraph 4 (b) of the note by the President of the Security Council dated 30 October 1998 (S/1998/1016), and following consultations among the members of the Council under the no-objection procedure, the members of the Council agreed to elect the bureau for the calendar year 2000. The bureau consists of Ambassador Anwarul Karim Chowdhury (Bangladesh), as Chairman, with the two Vice-Chairmen being provided by the delegations of Mali and Namibia (see S/2000/27).

9. On 29 February 2000, the Committee approved two requests for exemption to paragraph 5 of Security Council resolution 1171 (1998): one for Pallo Bangura to enable him to attend the first follow-up Ministerial Conference on Integrated Water Resources Management in West Africa in Ouagadougou, on 1 and 2 March 2000; and the second for Foday Sankoh and Johnny Paul Koroma to attend a meeting concerning Sierra Leone organized by the President of the Republic of Mali, current Chairman of the Economic Community of West African States (ECOWAS) in Bamako, on 1 and 2 March 2000. On 14 April 2000, the Committee approved a request for exemption, for Pallo Bangura to visit the United States of America to hold discussions with officials of the World Bank from 24 to 28 April 2000. On 7 November 2000, the Committee approved a request for exemption for Colonel Gabriel Massaquoi to travel to Abuja on 9 November 2000, to participate in the peace talks under the auspices of President Olusegun Obasanjo and to return to Sierra Leone at the conclusion of those talks. Concerning the request for travel of other individuals, no such authorization was required since their names do not appear on the list subject to the above travel restrictions.

10. In accordance with paragraph 4 of resolution 1171 (1998), the Committee reported to the Council, on 7, 21 and 26 July and on 27 November 2000 (S/2000/659; S/2000/660; S/2000/730; S/2000/739; S/2000/1127), concerning notifications received from States on the export of arms and related materiel to Sierra Leone, as well as to the United Nations Mission in Sierra Leone (UNAMSIL), and on notifications of imports of arms and related materiel made by the Government of Sierra Leone.

11. By paragraph 8 of resolution 1306 (2000) all States were requested to report to the Committee, within 30 days of its adoption, on actions they had taken to implement the measures imposed by paragraph 1 of that resolution. Furthermore, the Council also reminded States of their obligation to implement fully the measures imposed by resolution 1171 (1998), and called upon them, if they had not already done so, to enforce, strengthen or enact, as appropriate, legislation making it a criminal offence under domestic law for their nationals or other persons operating on their territory to act in violation of the measures imposed by paragraph 2 of that resolution and to report to the Committee not later than 31 July 2000 on the implementation of those measures. To that effect, two note verbales were sent by the Chairman on 10 July 2000. On 13 September 2000, the Chairman issued two reports on the measures taken by States in implementation of paragraphs 8 and 17 of resolution 1306 (2000) (S/2000/861 and S/2000/862). Addenda to the above reports were issued on 4 December 2000 (S/2000/861/Add.1 and S/2000/862/Add.1). Subsequently, a reply was received from the Republic of Belarus (S/AC.34/2000/(9)/37; S/AC.34/2000/(10)/22).

12. In accordance with paragraph 22 of section B of resolution 1306 (2000), the Chairman, on 18 July 2000, addressed letters to the Organization of African Unity (OAU), ECOWAS and Interpol, with a view to identifying ways to improve effective implementation of the measures imposed by paragraph 2 of resolution 1171 (1998).

13. On 31 July and 1 August 2000 the Committee, under the Chairmanship of Ambassador Anwarul Karim Chowdhury, held an exploratory hearing, as requested for in Security Council resolution 1306 (2000). The hearing took place at United Nations Headquarters in New York and covered the following areas: the Sierra Leone diamond industry; the link to trade in arms and other materiel; and ways and means to develop a sustainable and well-regulated diamond industry in Sierra Leone. Invitees to the hearing included representatives of interested States (Angola, Belgium, Benin, Bulgaria, Burkina Faso, Canada, Cape Verde, Côte d'Ivoire, the Gambia, Ghana, Guinea, Guinea-Bissau, India, Israel, Liberia, Mali, Mauritania, the Netherlands, Niger, Nigeria, the Russian Federation, Senegal, Sierra Leone, South Africa, Togo, the United Kingdom of Great Britain and Northern Ireland and the United States); international and regional organizations (the World Bank, OAU and ECOWAS); the diamond industry (the Diamond High Council, the International Diamond Manufacturers Association and the World Federation of Diamond Bourses); and other relevant experts in their personal capacity (Patrick Smith, Alex Yearsley, Ralph Hazleton, Peter Takirambudde, Brian Wood, Olivier Vallee, Andrew Coxon and Andrew Bone).

14. At the conclusion of the hearing, the Chairman held a press conference and, as requested by paragraph 12 of resolution 1306 (2000), submitted a report with observations to the Security Council on 1 December 2000 (S/2000/1150).

15. After consultation with the Security Council Committee established pursuant to resolution 1132 (1997), the Secretary-General addressed a letter to the President of the Security Council, dated 2 August 2000 (S/2000/756), informing him that, in accordance with paragraph 19 of resolution 1306 (2000), he had established a panel of experts composed of five members, for an initial period of four months, to collect information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and

related materiel, and to consider the adequacy of air traffic control systems in the region. The panel consisted of the following experts:

Mr. Martin Chungong Ayafor (Cameroon, Chairman)

Mr. Ian Smillie (Canada, diamond expert)

Mr. Johan Peleman (Belgium, expert on arms and transportation)

Mr. Harjit Singh Sandhu (India, expert from Interpol)

Mr. Atabou Bodian (Senegal, expert from the International Civil Aviation Organization (ICAO)).

16. The Committee, at its 16th and 18th meetings, held on 9 August and 29 September 2000, examined a request from the Government of Sierra Leone submitted in compliance with paragraph 2 of resolution 1306 (2000) regarding a proposed new mining, export and monitoring regime for rough and uncut diamonds from Sierra Leone, together with a new draft forgery-proof certificate of origin document. The Government of Sierra Leone also indicated that, after a trial period of approximately 90 days, it would notify the Committee on the effectiveness of the new regime it had put in place. In this connection, and in accordance of paragraph 5 of Security Council resolution 1306 (2000), the Committee, after careful consideration of the aforementioned request, had no objection to the procedures outlined by the Government of Sierra Leone. Furthermore, the Chairman, on 6 October 2000, addressed a letter to the President of the Security Council informing him of the Committee's decision (S/2000/966). Additional information submitted by the Government of Sierra Leone to the Committee regarding the new certification regime for the export of Sierra Leone diamonds was forwarded to the President of the Security Council by the Chairman on 4 December 2000 (S/2000/1151).

17. In accordance with paragraphs 6 (e) and 23 of resolution 1306 (2000) concerning the situation in Sierra Leone and paragraph 30 of resolution 1295 (2000) concerning the situation in Angola, a press conference was held in New York on 11 September 2000, following the inscription of "The role of diamonds in fuelling conflicts" as agenda item 175 of the fifty-fifth session of the General Assembly.

18. Ambassador Paul Heinbecker (Canada), Chairman of the Angolan Sanctions Committee, Ambassador Juan Larrain (Chile), Chairman of the Angolan Monitoring Mechanism and Ambassador Martin Chungong Ayafor (Cameroon), Chairman of the Panel of Experts on Sierra Leone, were present at the press conference to field questions from the media and to launch the release of an information pamphlet, "Conflict Diamonds, Sanctions and War", to be distributed to some 1,600 non-governmental organizations, the press and other members of the general public.

19. As agreed at the 19th meeting of the Committee, held on 20 December 2000, the Chairman on behalf of the Committee, and in accordance with paragraph 19 of section B of resolution 1306 (2000), transmitted to the President of the Security Council the report of the Panel of Experts concerning the collection of information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related materiel as well as the adequacy of air traffic control systems in the region (S/2000/1195).

C. Violations and alleged violations of the sanctions regime

20. On 18 February 2000, at its 13th meeting, under the Chairmanship of Ambassador Anwarul Karim Chowdhury (Bangladesh), the Committee discussed the fact that Foday Sankoh, Chairman of the Commission for the Management of Strategic Resources, National Reconstruction and Development in Sierra Leone, had left Sierra Leone without the authorization of the Committee. The members of the Committee urged the return of Mr. Sankoh to Sierra Leone immediately. The Committee also decided to remind all Member States of their obligations under Security Council resolution 1171 (1998), and, in particular, of the provisions contained in paragraph 5 of the resolution. Furthermore, on 21 February 2000, the Committee addressed letters to the Permanent Representatives of Côte d'Ivoire, Sierra Leone and South Africa and to the Under-Secretary-General of the Department of Peacekeeping Operations requesting any information that could shed light on the above matter.

21. On 10 March 2000, at its 14th meeting, the Committee discussed the departure of Mike Lamin, Minister of Trade and Industry in Sierra Leone, from Sierra Leone without the authorization of the Committee. In this connection, the Committee requested its Chairman to bring to the attention of all concerned this alleged breach of the sanctions regime. The Committee once again decided to remind all Member States of their obligations under Security Council resolution 1171 (1998) and in particular, under paragraph 5.

22. In June 2000, information reached the Committee that Sam Bockarie and Gabriel Massaquoi had visited Burkina Faso from Liberia on 5 and 6 June 2000, and that Morris Kallon was also in Liberia at that time, in breach of paragraph 5 of resolution 1171 (1998). The Committee was also informed that a Liberian military helicopter had been observed delivering supplies of ammunition to locations in Sierra Leone, including Koidu and Bumumbu, from within Liberia, in breach of paragraph 2 of the same resolution. In this regard, on 19 July 2000, the Chairman addressed letters to the Permanent Representatives of Burkina Faso, Liberia and Sierra Leone as well as to the Under-Secretary-General of the Department of Peacekeeping Operations.

III. Other activities

23. In accordance with paragraph 15 of resolution 1306 (2000), on 15 September 2000, the Security Council conducted its first review on the measures imposed by paragraph 1 of that resolution. At the conclusion of the Council's consultations on the above issue, a statement was issued to the press by the President of the Security Council, in which, inter alia, the Council commended the Government of Sierra Leone for developing, with international assistance, the certification regime that was submitted to the Sanctions Committee and hoped that, with further information from that Government, the export of diamonds would soon begin. The Council also welcomed the hearing on diamonds and the arms trade, praised the Secretary-General for appointing a panel of experts and encouraged States to report to the Committee on national implementation of resolution 1306 (2000).

24. On 1 December 2000, following the request by the United Kingdom to include a supplementary agenda item, entitled "The role of diamonds in fuelling conflict" on

the agenda of the fifty-fifth session of the General Assembly (A/55/231), the Assembly adopted, without a vote, resolution 55/56 entitled "The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts".

25. Under the terms of the resolution, introduced by South Africa, the General Assembly, inter alia, urged all States to support the efforts made by the Security Council, the diamond-producing, processing, exporting and importing countries and the diamond industry to find ways to break the link between conflict diamonds and armed conflicts, including those in Angola and Sierra Leone. The General Assembly also expressed the need to devise effective and pragmatic measures to address the problem of conflict diamonds, including the creation and implementation of an international certification scheme for rough diamonds and the need for national practices to meet internationally agreed minimum standards.

IV. Observations

26. Since the Committee established pursuant to resolution 1132 (1997) plays a central role in the monitoring of the implementation of the sanctions regime in Sierra Leone, it must consider ways to improve the monitoring and implementation of the sanctions. The Committee does not have any specific monitoring mechanism to ensure the effective implementation of the sanctions imposed by the Security Council. The Committee therefore urges all Member States and organizations to provide the information pertinent to the effective implementation of the embargo to the Committee. Reports through ECOWAS and from UNAMSIL could strengthen, in particular, the effectiveness of the arms embargo, by assisting the Committee in its efforts.

27. The Committee urges all States, including neighbouring States, to comply fully with, and assist in, the implementation of the sanctions regime in Sierra Leone.